

REMARKS

Summary

Claims 1-22 and 24-30 are pending in this application. Independent claims 1, 10, 17 and 24 are amended. Favorable reconsideration and allowance of the pending claims are requested.

Claim Rejections – 35 U.S.C. § 101

Claims 24-30 stand rejected under 35 U.S.C. § 101 as being the claimed invention is indicated to be directed to non-statutory subject matter. The specification is amended to remove the example of a machine-readable medium as a carrier wave. Applicant respectfully requests that the rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 1-22 and 24-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 7,136,392 to Wentink (hereinafter "Wentink") in view of United States Patent No. 7,301,965 to Cimini, Jr. et al. (hereinafter "Cimini") and United States Patent No. 6,804,222 to Lin et al. (hereinafter "Lin"). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the rejection.

Claim 1 is amended to recite, in relevant part: mapping said one or more service characteristics to a class of service database, *wherein a class of service corresponds to one or more service characteristics to which the application service characteristics can be mapped to determine the application's class of service.*

Regarding claim 1, the references, alone or in combination, fail to teach at least one element of the claim. The Action therefore, fails to present a prima facie case of obviousness.

Specifically, the Action asserts that Wentink and Cimini, in combination, teach or suggest all of the elements of claim 1, except for: "mapping said one or more service characteristics to a class of service database;" and "servicing the application in the bearer

plane." The Action relies on Lin, in combination with Wentink and Cimini to teach these elements of claim 1.

In fact, Lin does not teach mapping said one or more service characteristics to a class of service database, *wherein a class of service corresponds to one or more service characteristics to which the application service characteristics can be mapped to determine the application's class of service*. Instead, Lin teaches a frame classification table that lists, in each table entry: search priority, a unique virtual stream ID (VSID), and classifier parameters for the unique VSID. Lin, Fig. 5. A virtual stream, in Lin, is independent of application, and merely "amounts to an identifiable, ordered sequence of data frames for transport within a BSS using a specified set of QoS parameter values." Lin, col. 10, lines 46-48. When a frame is received, the QoS Management Entity of Lin uses information in the received frame to search for a matching classifier parameter in the classification table, and searches in descending priority order. When a matching entry is found, the virtual stream associated with the VSID is used to transport the frame. Lin, col. 13, lines 51-60. Lin does not map service characteristics of an application to a class of service in a database.

In contrast, in claim 1, one or more service characteristics (of an application) may be mapped to a class of service database. The one or more service characteristics may be associated with a class of service. Each application may provide a description of its requirements in terms of its one or more service characteristics. The one or more service characteristics may be mapped to a class of service database, for example, which may include a plurality of classes of service, where each class of service corresponds to one or more service characteristics to which the application service characteristics can be mapped to determine the application's class of service. Specification, paragraph 0030. Service characteristics may include, for example, burstiness, bandwidth, packet loss, and delay. Specification, paragraphs 0037-0041. QoS parameters, in contrast, typically include such items as arbitration inter frame space (AIFS), Contention Window (CW) minimum and/or maximum, and a persistence factor. Specification, FIG. 6, and paragraphs 0045-0048.

Lin, therefore, does not teach this element of claim 1, and the combination of Lin

with Wentink and Cimini also fails to teach or fairly suggest the claim. Applicant respectfully requests that the rejection be withdrawn and the claim allowed.

Claims 2-9 are dependent from claim 1, and are allowable at least for being dependent on an allowable claim.

Independent claims 10, 17 and 24 are amended similarly to claim 1, and are allowable for at least the reasons given above regarding claim 1.

Claims 11-16, 18-22, and 25-30 depend from claims 10, 17 and 24, respectively, and are allowable at least for being dependent on an allowable claim.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the limitations of the independent claims and dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the claims from the cited references, taken alone or in combination, based on additional features contained in the independent or dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

Appl. No. 10/728,676
Response Dated March 15, 2010
Reply to Office Action of December 15, 2009

Docket No.: P17115/1020P17115
Examiner: Scott M. Sciacca
TC/A.U. 2446

Conclusion

It is believed that claims 1-22 and 24-30 are in condition for allowance.
Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the Deposit Account No. 50-4238.

Respectfully submitted,

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Caroline J. Swindell, Reg. No. 56,784
Under 37 CFR 1.34(a)

Dated: March 15, 2010

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